

UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF WEST VIRGINIA

FILED

JUL 8 - 2010

U.S. DISTRICT COURT
CLARKSBURG, WV 26301

IN THE MATTER OF THE SEARCH OF

KATHERINE A. HOOVER'S RESIDENCE
LOST CREEK, HARRISON COUNTY
WEST VIRGINIA

CASE NO. 1:10MJ9
Judge James E. Seibert
United States Magistrate Judge

ADDENDUM TO MOTION TO VACATE SEARCH AND SEIZURE
WARRANT OF MARCH 1, 2010 AND FOR REMEDIAL ACTION

NOW COMES Katherine A. Hoover MD, pro se, to clarify and expand upon the issues raised in her original Motion. Jurisdiction regarding the property illegally seized rest clearly with the Northern District of West Virginia.

COUNT I: NO NOTICE

No legal notice has ever been received by Katherine A. Hoover MD. No legal notice has been given to her husband, John F. Tomasic. No legal notice has been given to her son, Stephen J. Tomasic. Stephen J. Tomasic's apartment was entered without a search warrant and numerous items seized from there. Clearly, the officers involved in the search knew that the apartment belonged to Stephen Tomasic because they took the title to legally purchased property in Clarksburg, W.Va. and they took the title to his Ford truck. The officers also took a certified check to Skymark which was issued from money that Katherine A. Hoover MD inherited from her uncle, William Hoover. No notice was ever given to Stephen Tomasic; there was no search warrant for his property; therefore the duty of the Court is to Order the immediate return of Stephen Tomasic's property--computers, titles, certified check and some cash. No notice was ever sent to John F. Tomasic, who is the joint owner of all of our property. No notice was issued to Katherine A. Hoover MD. Katherine A. Hoover notified Ms. Monica Schwartz that she was in Nassau, Bahamas undergoing medical treatment for serious medical

problems related to being poisoned on July 18, 2008. During John F. Tomasic's deposition in the case against the Jail Authority for the murder of our son Michael Tomasic by correctional officers at North Central Regional Jail, we were both poisoned. I required hospitalization in September 2008, but had not realized the cause of my problem. Research showed that the most likely toxin was prussic acid. Dr. Norman Gay is an expert in treating patients suffering from toxins. Monica Schwartz was notified on Monday March 8, 2010 of exactly where Katherine A. Hoover MD was by Dr. Hoover herself and her husband, John F. Tomasic. In spite of that knowledge, Ms. Schwartz issued a false press release claiming that Dr. Hoover was "fleeing prosecution" when Ms. Schwartz clearly knew that there was no legal basis or jurisdiction for prosecution AND KNEW THAT SHE HAD USED FALSE AFFIDAVITS to obtain property. Since Rule 41 requires that notice be given within sixty days, all property seized legally must be returned.

COUNT II: UNBIASED TRIBUNAL

Katherine A. Hoover MD, pro se, has attached the Motions filed in the Southern District of West Virginia regarding bias and jurisdiction for the benefit of the Court. Dr. Hoover spoke with Mr. John Parr after the raid on the property belonging to her, her husband, and her son. Mr. Parr indicated that the Northern District had no jurisdiction to assist in returning the property seized in excess of the search warrant. Mr. Parr stated that he was just "helping" the Southern District. Dr. Hoover reviewed a case decided by deceased Judge Hayden Criminal Case No. 2:99:00012-01. Judge Hayden ORDERED that the entire U.S. Attorney's office be removed from that case because of perjury and other issues. At that time, Mr. Parr was Ms. Schwartz's supervisor. Because of Mr. Parr's statements and his previous close association with Ms. Schwartz it appears that it would be difficult for him to remain neutral. The Court is required to review the evidence and, if necessary question witnesses whose affidavits were used to obtain a Search and Seizure Warrant. The Courts' and the Attorneys' for the United States of America primary duty is to uphold the Constitution and to protect the rights of the people. The Fourth Amendment "The right of the people to be secure in their persons (Michael Tomasic and Leonard Vincent were murdered by state employees, the murders were covered up by state and federal employees, Dr. Hoover and John Tomasic were poisoned by unknown government associated people, the raid violated persons right to treatment and Dr. Hoover's right to care for them) houses, papers, and effects against

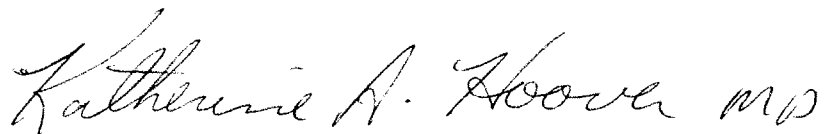
unreasonable searches and seizures." Clearly the raid in Williamson and the raid in Harrison County were unreasonable and based on false information.

COUNT III: LACK OF SUBJECT MATTER JURISDICTION

Katherine A. Hoover MD has all ready discussed Gonzales v. Oregon, and federal laws regarding medical practices. Katherine A. Hoover MD is also protected by West Virginia state laws. The law making it illegal to give false information to a doctor and the law protecting all the people in medical fields who treat pain in good faith. The investigation regarding the medical practice at 35 West Third Ave. Williamson, W.Va. has been ongoing since 2003 according to Michael Smith, who is part of the Drug Task Force. He admitted to sending informants in to lie in order to receive treatment. Mr. Smith, anyone associated with instructing informants to lie, and the informants themselves are guilty of a misdemeanor West Virginia law Article 4 S 60-4-410. The penalties for violating this law have just been increased. The informants were guilty of obtaining prescriptions under false pretenses and violating the terms of the contract that they signed every time they came to the office. The Search and Seizure Warrant issued by Judge Seibert was a direct result of this illegal activity.

WHEREFORE, KATHERINE A. HOOVER MD requests that the proper Court ORDER that all properties seized from Katherine A. Hoover, John F. Tomasic and Stephen J. Tomasic be returned with prejudice and that an unbiased tribunal be formed to access damages to them and the extensive human rights violations.


Respectfully submitted,

A handwritten signature in cursive script that reads "Katherine A. Hoover MD". The signature is written in dark ink and is positioned above the typed name and address.

Katherine A. Hoover MD
c/o Dr. Norman Gay
247 West Bay Street
Nassau, N.P., Bahamas
fax: 242-328-4014
phone: 242-525-4018

CERTIFICATE OF SERVICE

I, Katherine A. Hoover MD, hereby swear that I will fax a true and correct copy of the ADDENDUM TO MOTION TO VACATE THE SEARCH AND SEIZURE WARRANT OF MARCH 1, 2010 and the MOTION TO UNSEAL THE CASE on July 7, 2010 to the Prosecuting attorney for the Northern District of West Virginia and to the Associated Press.

A handwritten signature in cursive script that reads "Katherine A. Hoover MD". The signature is written in dark ink and is positioned above the printed name.

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